

COBBETT'S WEEKLY POLITICAL REGISTER.

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" For what true English heart will not swell, when it shall be made clear and evident, as in this book, " that the sovereignty of the seas, flowing about this island, even to the very shores opposite, hath, in all " times, whereof there remains any written testimony, under every revolution, down to the present age, " been held and acknowledged by all the world, as an inseparable appendant of the British Empire; and " that, by virtue thereof, the kings of England successively have had the sovereign guard of the seas; that " they have imposed taxes and tributes upon all ships passing and fishing therein; that they have obstructed " and opened the passage thereof to strangers at their own pleasure, and done all other things that may " testify an absolute sea dominion. What English heart, I say, can consider these things together with " the late actings, and not be inflamed with an indignation answerable to the insolence of these people, " raised, but yesterday, out of the dust." — NEDHAM'S Dedication of SELDEN'S Dominion of the Seas.

225]

[226]

TO THE
INDEPENDENT ELECTORS
OF THE
CITY AND LIBERTIES OF WESTMINSTER.
LETTER XX.

GENTLEMEN,

When I concluded the last letter which I did myself the honour of addressing to you (see Vol. XI. p. 930), I foresaw, that occasions would arise, when I might again think this the best mode of communicating my remarks to the public in general. An occasion of this sort has now arisen. The bill for *preventing grants of Places in Reversion* has been thrown out in the House of Lords, after having passed the House of Commons; and, as it is reasonable to suppose, that some of you may not be fully acquainted of the nature of such grants, and of the circumstances under which the bill was thrown out, I, who have had an opportunity of becoming acquainted with both, will endeavour to give you a just description of them.

There are, Gentlemen, numerous places under the government, which are called *sine-cures*, from two Latin words which mean *without care*. Places having no care, no charge, and, of course, no employment, attached to them; places which give the holders no other trouble than that of receiving the salaries or fees arising from them. The reason why these places are described by out-landish words is evident enough; for, to call them, in plain English, *places without employment*, or *nothing-to-do places*, would naturally produce feelings, in the people, not very friendly to such a snug establishment; and, indeed, had these places always been described by English words, my opinion is, that they would have ceased to exist long ago. We have here, Gentlemen, a striking instance of the great utility of the

" *Learned Languages*," which once were so serviceable to the monks and friars, and which are now kept as much in use as possible by all those who are desirous of making a mystery of what ought to be clearly and universally understood. For the same reasons *the law*, that which every man ought to understand as clearly as possible, has been rendered mystical by the introducing and the retaining of foreign words. Latin, French, Half-French and Half Latin, any thing so that it be incomprehensible to the people in general; no matter what it is so that it keeps them from a knowledge of the real nature of the thing; and, what is above all things provoking, when a couple of empty-headed fellows have once got a gown and wig on, and have learnt the use of this barbarous jargon, they will, without the least sense of decency or shame, stand up amidst hundreds of spectators, and bestow upon each other, at every second breath, the appellation of "*learned friend*." Much more depends upon *names* than seems to enter into our philosophy. When the excellent parliament, which made a law to provide against Englishmen being unjustly deprived of their personal liberty; when they were enacting that the persons of innocent men, of all ranks, should, for the future, be secure from the fangs of a tyrannical government, they should have taken care to give their act a name which all men must have clearly understood; and not have left it to the "*learned friends*" to call it the act of *Habeas Corpus*, a name that, as far as nine-tenths of the people know, may mean something to eat, or to drink. If it had been called the *personal security act*, or the act for preventing *unjust imprisonment*, be you assured, Gentlemen, that it never would have been suspended for seven years together, not, at least, without some complaint, on the part of Englishmen, against such sus-

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pension. The English name would, too, have sounded badly in debate. Pitt, even Pitt, would not have talked so glibly of suspending the act for preventing unjust imprisonment. Men out of doors would have been startled at such a proposition; upon inquiry they would have found, that, from the moment this act was suspended, *any man in the kingdom was liable to be seized by a messenger from the offices of government and to be imprisoned as long as the council thought proper*, without any trial, and without any mode of obtaining redress, or even a hearing in his defence; and, finding this, it is not to be believed, that they would have acted as they did.

From this digression, in which I have anticipated myself as to one objection to the teaching of what modern imposture and impudence term "the Learned Languages," I return to *sine-cure places*, the nature of which I have endeavoured to explain to you. But, Gentlemen, persons to fill, if it may be so called, places where there is nothing to do but to receive the salaries or fees, are found in such abundance and they meet with ministers so ready to reward their public services, that these places, alas! numerous as they are, fall far short of the number required. They are all filled, at all times. This being the case, all that a poor minister can do for his friends, or relations, is to promise them the first vacancy. But, here arises a difficulty: two difficulties indeed; for the minister may not keep his promise; and, if, by any chance, he should be disposed to do that, he may not keep his place; besides which he may die, or the asker of the place may cease to support him. Therefore, in order to make things as sure as this sublunary state of things will admit of, the place-hunter says, if you cannot give me the place, give me the *reversion* of it: that is to say, obtain me a grant from the king, making me the *heir* of the man who now holds the place. Nay, sometimes these reversions are granted to two or three persons at once; first to one, and, if he or she should die, to another, and, if he or she should die to another, in which way, the late ministers have asserted in open parliament, that most of the places upon the Irish establishment are now granted, many of the grantees being young children; so that the places are granted away for sixty or eighty years to come.

This, Gentlemen, is what is meant by granting places in reversion, pensions, observe, being frequently granted in the same manner, and also some offices which are not perfect sinecures.—The late ministry, composed of our friends, the Whigs,

brought in a bill, *a day or two before their being ousted*, to prevent, for the future, the granting of places in reversion. Their successors, though they have, as you have seen, obtained a decided majority in both Houses of Parliament, did not oppose the passing of this bill. But, when it came to the noble Lords, the noble Lords quickly dispatched it. On the 4th instant they did this, after a debate, which I shall here insert exactly as I find it reported in the Morning Chronicle newspaper; and I beseech you to read every word of it with attention.

"Lord ARDEN considered the bill to be "an unnecessary and *indecent attack upon the king's lawful prerogative*. Nothing "whatever had been stated to prove that "such a measure was necessary, except "merely an expression in the preamble of "the bill, that it was expedient for the "public service. The manner also in which "the bill originated was very unusual, and "no ground had been shewn to prove that "there was any necessity to make such an "attack upon the king's just prerogative. "He should therefore oppose the bill and "take the sense of the house upon it.

"Earl GROSVENOR expressed great regret "at the opposition given to this bill by his "noble friend. He conceived the bill to "be so completely in unison with the popular feeling at the present moment, that "it would be unwise to reject it, and he "thought his majesty's ministers, by opposing the bill, would render themselves so unpopular that they would not long remain in office. He was a warm friend to "the bill, not merely for its own sake, but "for the sake of those measures of reform "relative to the public expenditure, of "which he considered this merely as the "forerunner; measures which were highly "necessary at a crisis like the present, "when it was of so much importance to "engage the hearts as well as the arms of "the people. He trusted their lordships "would not be induced to reject the bill.

"The EARL OF LAUDERDALE called their "lordships attention to his majesty's speech "at the close of the last session, in which "satisfaction was expressed at the conduct "of the Committee of Finance, and contended that this bill, being the only measure which that committee had then recommended, the king's speech contained "in effect an approval of the measure. After ministers had thus approved of the measure, after they had approved of it in "the other house, and after the bill had "been so long in this house, he was greatly "astonished at the opposition it now expe-

" rienced. He could not help also adverting to " the conduct of his majesty's ministers upon " this occasion. If they now thought " this bill ought not to pass, why did they " not attend in their places, and oppose it " in a manly manner, instead of staying " away themselves, and sending their " friends and connections to oppose the " bill?" [None of the ministers were present, except the lord chancellor.] " He did not mean by this to impute to the noble lord that he was sent there for that purpose; but that construction would be put upon such conduct by the public. He was convinced that the public feeling was strongly in favour of the bill; and that ought to be, at the present moment, a strong argument in its favour. The granting of offices in reversion he considered to be highly prejudicial to the public service, and highly improper, such grants being frequently made to children, at a very early age, and such offices, although requiring regulation, from a change of circumstances, could not, during such grant, be regulated for the benefit of the public. He would instance one case, that of the large office held by the noble lord (Arden), and the reversion of which had been granted to him *after the death of his father*, whose public services were undoubtedly great, at a time when the income arising from it was comparatively trifling. The profits of it had since increased to an amount which could not possibly have been in the contemplation of any one, and which arose, in a great degree, from the misfortunes of the country. It would, no doubt, have been thought expedient to regulate an office of that description. - He thought, upon every ground that could be stated, that this bill ought to be proceeded in.

" **LORD ARDEN** said he was not sent to that house to oppose the bill, nor would he be sent there by any man: he opposed the bill because he conceived it to be his duty as a peer of parliament to do so.

" The **EARL OF LAUDERDALE**, in explanation, disclaimed any intention of throwing the least imputation upon the noble lord; he only meant to allude to the construction which would be put in the public mind upon the opposition given to the bill, coupled with the absence of his majesty's ministers.

" **LORD VISCOUNT MELVILLE** said there was only one point in which he agreed with the noble lord (Lauderdale), namely, that which related to the absence of

" ministers. He wished they had been there to declare their sentiments in opposition to the bill, if such were the sentiments which they entertained upon the subject. But when the absence of ministers was spoken of, he would ask, where were the illustrious members of the late administration? Why did not they attend to support their own bill, and display their parental fondness for their own offspring? He denied that this measure had been approved of or alluded to in his majesty's speech. The speech applauded the general object of the Committee of Finance, namely, to inquire into the means of reforming and economising the public expenditure; but could not be made to apply to the present measure. No argument had, he contended, been adduced in favour of the present measure, except an assertion, that it was agreeable to the public feeling. He did not believe that there was any such feeling in the public mind, nor was there any thing in the bill by which the public could be benefited. If the bill were to pass, *not a sixpence would be saved by it*; the offices would remain the same; and, the only object of it would be to encroach upon the king's just and lawful prerogative. The noble lord had spoken of reversions being granted to children, but was it not the practice, when great services had been performed by *an Admiral or General*, to confer hereditary honours, and to grant also an annual sum, which was not confined to the person to whom granted, but was extended to his descendants? It had been the constant practice of our ancestors to act upon this principle. He would put a case also to shew the expediency of acting upon it in other instances: suppose a person was rendered incapable by age or infirmity from executing the duties of an office which he had held for 20 or 30 years; such a person was not to be turned out without some provision. There were in this case only two modes of acting; the one by a pension, and the other by granting the reversion of the office to his son or other relation, who might **ASSIST him in the office**. By the former mode, a charge was made upon the public during the life of that person, and in the latter there was no additional expense. He could discover nothing in support of this bill, but an assertion that it was expedient; whilst, on the other hand, there was the uniform practice of our ancestors. He could not, therefore, consent to such a bill as the

" present, nor could he for a moment consent, that after a *beneficent reign* of nearly half a century, such an attack should be made upon the prerogative and influence of a *beloved and revered* monarch.

" LORD HOLLAND said, as the noble viscount had began his speech by stating that there was only one point in the speech of his noble friend (the earl of Lauderdale), in which he agreed, so he would observe, that there was only one point in the speech of the noble viscount in which he had the good fortune to agree, and that was, that his majesty's ministers ought to have been present to have declared their sentiments in a manly manner upon this bill. As to the charge made by the noble viscount, of the absence of the members of the late administration, he could assure their lordships, that, had there been the least expectation that this bill would be opposed, there would have been a full attendance of those noble lords, with whom he had the honour to act. But when it was recollect that only four-and-twenty hours notice had been given of any intention to oppose this bill (he did not mean to throw any imputation upon the noble lord who had commenced this debate), there was not much ground for surprise at the thin attendance. He thought it, however, of so much importance that this bill should be debated in a full house, that he intended to move to adjourn the debate till to-morrow, in order to give an opportunity for that full attendance, which the importance of the subject demanded. After the bill had been nearly a month before the house, without appearing to meet with any objection, he was astonished that it should now be attempted to be debated in a thin house, and at so late a period of the session. His noble friends had not attended, because they thought there was no intention of opposing the bill; he was convinced they would attend if the consideration of the bill was postponed till to-morrow. He entirely agreed with his noble friend (earl Grosvenor), that this bill was only to be considered as the *forerunner of important measures of reform and economy in the public expenditure of the country*. When it was in contemplation to abolish or to regulate offices, it was natural as the first step to be taken, to prevent those offices being granted in reversion, because if they were it was obvious that for a considerable time no regulation could be applied to them. It was therefore that the public feeling

" was so much interested in this bill, which he contended it was, and he begged leave to say that he thought the noble viscount in denying the existence of this public feeling was mistaken. He was convinced that if ministers thought that the rejection of this measure would not be an unpopular measure, they would find themselves miserably mistaken. He denied that the bill was an encroachment upon the just prerogative of the crown, on the contrary, *the granting in reversion was an encroachment upon that prerogative*, and upon this subject he would put the case, which though an extreme one, would shew the tendency of the argument, namely, that of all the offices being granted in reversion, it would necessarily follow, that *the successor to the crown* would find himself deprived of all influence. Reversions, besides, had a tendency to render the offices themselves sinecures, and sinecures were again granted in reversion: then reversions begat sinecures, and sinecures begat reversions. It might be true that, by the operation of this bill in itself, nothing would be saved; but when it was considered as the first step to other measures, it must be viewed in a very different light; and although there might be considerable exaggeration as to the saving which it was possible to effect, yet, at the present moment, every sixpence and every halfpenny ought to be saved, in order to lighten, as much as possible, the burdens of the people. There might, perhaps, be a popular delusion upon this subject; but even that was an argument, at a crisis like the present, for agreeing to this bill. He did not conceive, however, that a bill of so much importance should be decided upon in so thin a house, and he should therefore move, that the debate be adjourned till to-morrow.

" The EARL OF LAUDERDALE again referred to his majesty's speech at the close of the last session, his majesty's speech at the opening of the present session, and to the votes of the house of commons, containing the Resolution on which the present bill was founded; and contended that his majesty's speeches contained a full approval of this measure.

" LORD VISCOUNT MELVILLE again contended that his majesty's speeches only contained an approval of the general object of the Committee of Finance.

" The EARL OF SELKIRK approved of the bill, upon the principle that it was to be considered as the *forerunner of other great and important measures*.

233]

AUGUST 15, 1807.—*Electors of Westminster.*

[234]

"LORD BORINGDON expressed his regret at differing from many noble lords with whom he usually acted; but when he considered that this bill had been supported by ministers, had passed the other house, and had been received with nearly an unanimous consent, added to the circumstances of the present moment, he felt it his duty to vote for it."—After this, the noble Lords divided, as it is called, nine noble Lords voting for Lord Holland's motion, and sixteen noble Lords against it; so that the bill, by a subsequent division, was thrown out.

It will not be necessary, Gentlemen, to say much to you upon this subject. You will have perceived, that, out of about three hundred noble Lords, there were only 25 noble Lords present upon this occasion. The Morning Chronicle has given a list of the places, which are held by the noble Lords, who voted against this bill; but I shall give no such list, nor any list at all of the majority, or the minority; for, as to motives, I believe every noble Lord of them is animated by such as are equally pure and upright, however the said noble Lords may, "under existing circumstances," entertain, or act upon, sentiments widely different. It is, however, worthy of notice, that the fear of depriving the *successor of the king* of all influence from the granting of places, was openly avowed; and, I have heard, that this was the principal, if not the *only motive*, from which the late ministers introduced the bill; though, it must be observed, that this does not very well agree with the idea of economy, as connected with the bill for preventing grants in reversion. The truth is, that, if economy had been the object, the bill would have been of a different description. It would have enacted, that such and such places, when the present holders died, should be abolished, and the expences of them put an end to. This would have been doing something; but, if we are still to be taxed to pay the holders of these places, what is it to you or me, whether the holders of them are appointed by the present king, or by his successor? Lord Holland, after Lord Grosvenor, regarded the bill as the forerunner of a series of reforms. Such reforms would have been, I imagine, of but very little service to us. They would, in fact, have been injurious; for, while they would have afforded us no *real relief*, they would have served to amuse ignorant people, and would have afforded the sycophants of office grounds whereon to defend their patrons. "Here," would they have said, "don't you see, that they have begun to re-

"form?" And with this they would have deceived thousands upon thousands of well-meaning men.

Lord Melville compared the place-holders to *Admirals* and *Generals*, who have merited great rewards from their country, and whose descendants are generally provided for. The provision, in such cases is just, because, what gratification could it be to a man to be made great and rich himself, if his sons were, upon his death, to be, at once hurled down from the rank, in which their father had lived. And, the same reasoning will apply to men who have rendered great services to the country in any other way. But, how stands the *fact*, with respect to the holders of the places in question? Have they rendered great services to their country? I will give you a list of a few of them and their holders, and, then, leave you to answer me:

Earl of Liverpool, Collector of Customs inwards.....	£1,800 a year.
Lord Hawkesbury, Warden of the Cinque Ports	4,100
Earl of Chichester, Surveyor Gen. of customs.....	1,400
Earl of Guildford, Comptroller of customs	1,300
Lord Stawell, Surveyor of Petty customs	1,200
Duke of Manchester, Collector of customs outwards.....	1,900
Thomas Taylor, Comptroller General Granted in reversion to Lord Frederick Montague.	1,000

The above are custom-house officers for the port of London alone. What a noble thing is this commerce! But, more of that hereafter. Let us proceed with our list:

Wm. H. Cooper } one of the auditors } £2,100
and } of land revenue }
Frederick Grey Cooper } To fall to the survivor.

Lieut. Gen. Fox, Paymaster of widows' pensions..... £1,067
To have fallen to the Hon.

Charles James Fox, if he had survived his brother.

Lt. Gen. Fox, Receiver of issues, &c. 70 and fees not stated.

This place was enjoyed by the Hon. C. James Fox for his life.

Lord Arden (Mr. Perceval's brother) Registrer of the Admiralty and ecclesiastical courts 8,840

George Rose, Clerk of the Parliaments 3,700
Granted in reversion to his son,

George Henry Rose.

Marquis of Buckingham } Earl Camden } Lord Thurlow } Earl Bathurst } Tellers of the Exchequer }

The fees of these are not stated; but the amount of the salary and fees of the first is estimated at about £30,000 a year; each of the others at about £20,000 a year; and, as one

p'ace was granted in reversion, it tell, when Lord Thurlow died, to a son of Lord Auckland, the name of which son is W. F. E. Eden.	
Thomas Steele! King's Remembran- cer.....	£870
Duke of St. Albans, Master of the Hawks.....	1,342
This is a grant in <i>perpetuity</i> , that is to say, for ever.	

I take these from an account laid before the Honourable House, in 1802. I have not the *Scotch* list immediately at hand, or I would give you some account of the places and reversions of the *Dundases* and *Melvilles*. This little specimen will, however, afford you the means of judging as to how far the holders of the places, which we have been talking of, ought to be compared with *Admirals* and *Generals*, who have rendered important services to their country.

Since the bill was thrown out by the noble Lords, the Hon. House of Commons have come to a resolution to address the king not to grant any places in reversion, until six weeks after the commencement of the next session of parliament. It is pity the two houses should have any *disagreement*; it would be quite *useless*; it would answer no purpose; but, I am satisfied, that whatever *seeming* disagreement there might be between them, we, the people, should remain convinced, that they were both animated by motives equally pure and upright.

I have observed, that cases may arise, when it is just and proper to entail rewards upon the families of others than soldiers or seamen; but these cases must be rare; for, let it be remembered, that, in the civil offices, the *salaries* are very great compared to the pay of the officers in the army and the navy. In these latter services, too, a *whole life* is devoted, besides the first purchase of the commission. In fact, the cases are altogether different, and will bear no comparison.

Having thus endeavoured clearly to lay before you the nature of the offices in question and the tendency of the bill which has been thrown out by the noble Lords, I shall leave you to ruminate upon the matter, and to come to such a conclusion as your good sense shall dictate. I cannot help, however, requesting you to bear in mind, that I have now proved to you, that Mr. Fox was a sine-cure placeman all his life long; and that he asserted, in parliament, that the *property*, or ownership, of such places was as sacred, as *untouchable* by act of parliament, as *any man's property in house or land!* In short, that the parliament, which, as respecting all other earthly purposes, has been

called "*omnipotent*"; that the parliament which has been described as having a right to do every thing, which it is able to do, every thing which is not *naturally* impossible; that this parliament has no right to take from any man the present or reversionary enjoyment of one of these places! This was the doctrine of the man, whom, for so many years, *you* elected as one of your representatives! And, what is still more provoking, for the loss of whom you are called upon to weep! Nay, upon the ground of having been a friend and supporter of whom, Mr. Sheridan had the conscience to claim your votes; and, what is worse, some of you had the patience to hear him, and even the folly to applaud him.

In my next letter, which will probably be inserted in the same sheet with this, I propose to address you upon a subject of a very different nature. In the mean while, I remain,

Gentlemen,

Your faithful friend,
and obedient servant,

WM. COBBETT.

Botley, Aug. 12, 1807.

TO THE
INDEPENDENT ELECTORS
OF THE
CITY AND LIBERTIES OF WESTMINSTER.
LETTER XXI.

Gentlemen,

The subject, upon which I have now to address you, is, the dispute between England and the American States, of which, doubtless, all of you have heard much; but, as it is probable, that many of you have not the leisure to examine very minutely into the origin and grounds of the dispute, or to reflect maturely upon the consequences, to which it may lead, I trust you will not think it impertinent in me to offer you such observations as occur to me, relating to a matter with respect to which the people ought to be well-informed.

It has long been a complaint, on the part of England, that the American ships, in all parts of the world, serve as a place of refuge for deserters from the British navy. We claim a right to take our deserters wherever we find them, upon the seas; and this right, though not, in my opinion, rigorously enough, we have exercised. We claim also a right to take our *seamen*, whether deserters or not, from on board the ships of any other nation, when we find such ships at sea, having, as, I hope, we shall maintain, a right of

dominion over the sea as far as we may judge it necessary to exercise that dominion for the preservation of our independence as a people. The Americans, in order to evade these our claims, have fallen upon a device quite novel in the affairs of nations. They have enacted, that any man, be he born where he may, becomes a *citizen of the United States* from the moment that he gets what they call a *certificate of citizenship* from some one or other of their magistrates; and, having asserted this to be the law of nations, they represent as an outrage our taking of our men in spite of these miserable bits of paper. Endless disputes have arisen from this source; and, when we consider how difficult it is, in some cases, to distinguish between an American and an Englishman, we cannot wonder at such disputes; but, as I shall endeavour to prove to you, the right of searching cannot, on our part, be given up without giving up that superiority at sea, which alone can give us, under any set of rulers at home, even a chance of remaining an independent people.

The immediate cause of quarrel, however, is of a nature somewhat different. A ship of war, of ours, lying near Norfolk, in Virginia, had occasion to send some of her men on shore. These men desert. The officers are forbidden, by the civil authority, to take them. Some of them enter on board an American 44 gun frigate, called the *Chesapeake*. Admiral Berkeley, our chief naval commander upon the station, gives his several captains an order to demand the men from the *Chesapeake*, as soon as she shall be out at sea, and, if refused, to search for them by force. The *Leopard*, a 50 gun ship, commanded by Captain Humphreys, makes the demand. It is refused by Captain Barron, the American commander. Some shots of mere menace are fired a-head by the *Leopard*; these are returned in battle by the *Chesapeake*; this brings a broadside from the *Leopard*, which the *Chesapeake* returns with some shots badly fired; but, a second broadside from the *Leopard* brings down the American flag; the frigate is searched, the men are taken out, the *Leopard* keeps the sea, and the *Chesapeake*, with several men killed and wounded, returns to port. The American President issues a proclamation forbidding our ships of war all communication with the land (which is, observe, a violation of our treaty with America), and in this proclamation he asserts, that the men claimed by us had been proved to be Americans, and not British subjects.

Thus the matter stands at present. The English-hating party in America raging with

fury against us, evidently not so much on account of any injustice on our part, as on account of the severe rebuke which their arrogance has received in its being made known to the world, that, after all their boasting, they are unable to stand a moment against British ships of war. At first they asserted, that the *Chesapeake* was quite unprepared for action; that her cables were lying across her guns; that her decks were covered with stores; and that her powder was out to dry, having somehow or other, got damp. All this was quite incredible; but, the Americans themselves, in their rage against poor Captain Barron, have told the truth. They have now said, that every thing was in perfect readiness for action, and that the guns were loaded, before the *Chesapeake* left the port. The fact is, that it was want of skill and discipline, and want of the confidence, which those give, which prevented Captain Barron from making such resistance as a British commander, under similar circumstances, would have made. The commander of a British vessel, so acting, would have been shot; but, it does not follow, that Captain Barron, though a great boaster, was a coward; and, if the truth were known, I dare say it would appear, that, with such a crew, no man could have fought the ship for ten minutes.

Having thus, Gentlemen, given you a brief history of the dispute, I shall now offer you my observations upon it, which, I think, cannot be done so well in any other way as in answering an article, which has been published in an excellent weekly paper, called the *Independent Whig*, which article I shall first insert for your perusal, premising only, that I presume that you love your country better than any other country, and that because the grubs and muck-worms injure your corn, you would not, for that reason, let down the fences and invite the hogs and the cattle to trample it under foot, or devour it:

" We, who profess to have no political attachments but what emanate from the true spirit of liberty and a love of truth, cannot forbear expressing the surprize which we felt upon reading in Mr. Cobbett's Register of Saturday, the 1st of Aug. under the head ' American States', an avowal on the part of that writer, that he was very sorry to hear Mr. Perceval say in the House of Commons what seemed to indicate a decided disposition to yield; and to add that, if they do yield, if they follow the advice of the Morning Chronicle, our navy will not be long-lived.

" We have neither leisure nor room in our present number to enter into this discussion with Mr. Cobbett; but, as in our last number we in a manner, under the head 'Summary of Politics,' maintained nearly the same ground upon this subject, which we consider was soundly and properly conveyed through the Morning Chronicle of Tuesday week last, (much as we generally execrate that Journal, we must agree with it in truth,) we deem ourselves bound at least to enter our decided protest both against the propriety of the rebuke thus conveyed in this paragraph by Mr. Cobbett, and the general principle he contends for. We unequivocally declare, that, in our judgments, nothing can authorise such conduct as that which is reported to have been the conduct of the commander of the Leopard, but a spirit of usurpation, and a gross despotic stride of power. *Equity revolts against such a species of tyranny being assumed by any single state over that of any other;* and, as to the law of nations, no such power has been ever conceded. With respect to the argument, attempted by Mr. Cobbett, "that, if we permit the Americans to inveigle and detain our seamen, we cannot have a navy; the Americans would in fact recruit for France, and England would be beaten by our own seamen." The absurdity of this doctrine is almost beneath a comment, and in charity we would fain hope that Mr. Cobbett must have been but half awake when he wrote it. *Where one British seaman will be found on board an American, we believe FIFTY AMERICANS* (to say nothing of Swedes, Danes, Portuguese, and almost every other country) are to be found on board British ships of war; and, if this great tenacity is really necessary for the maintenance of the dignity of England, why, we would ask Mr. Cobbett, may not every power that is left in Europe, and which remains neuter, feel the same tenacity and claim the same privilege? We cannot, in EQUITY, see the distinction; therefore, we repel the doctrine.—With respect to the insinuation about the British seamen, we consider it *an outrageous imputation upon their LOYALTY that nothing can justify*; and, if symptoms of an evil so tremendous were ever to occur, the remedy would always be in the hands of the ministry, seasonably to remonstrate, but not with the fire of broadsides. We will not here attempt a refutation of what we conceive the unmerited abuse

" Mr. Cobbett has heaped upon the people of America, in saying, "the Americans are like the worst set of women; they will set up a terrible outcry, they will beat Adm. Berkeley in lungs; but, if we keep a firm foot, they will soon listen to reason;" or the remainder of his coarse invective applied to Captain Barron and his frigate, whom he elegantly and classically terms a "swaggering blade," &c.; we consider it quite sufficient, unless we are farther called upon, to mark this kind of language with the expression of our decided contempt, whether we read it in Mr. Cobbett's Register or Mr. Perry's Chronicle. We deprecate the propriety of reflections upon the courage of a people, whose bravery, *when struggling for their rights and independence, has already been proved invincible*; and as to the right of insulting their flag with impunity, and forcibly to demand the privilege of searching their ships of war, even under the certainty of their containing British seamen, we insist upon it to be a right unsupported by any principle of equity, and that can only be maintained in argument by the same species of violence that it has been attempted to be enforced by the commander of the Leopard, viz. by a thundering assertion or a thundering broadside. If these are the principles of liberty Mr. Cobbett would teach the British people, he must excuse us from becoming his disciples. Our ideas of liberty are to tolerate that in others, we claim as a right ourselves, and to repel every species of assumption of power not founded in equity and justice as derogatory to humanity and inimical to the natural rights of civilized society.—As to Captain Barron, he seems to have done only his duty, and, under the circumstances in which he was placed, to have acted with exemplary moderation and humanity; how far the epithet of 'swaggering blade,' therefore, justly applies to him, it remains for the calmer reasoning powers of Mr. Cobbett to substantiate. We like not coarse and harsh epithets at any time, still less when there does not exist any thing in the shape of provocation to justify them. National prejudices are at all times unbecoming the true friend of liberty; he looks to principles and not to men, and scorns to justify the perpetration of that by one government he would condemn the practice of in another. Americans, Frenchmen, and all other countries, have an equal right to liberty with Englishmen; and it is high time depotism

"was banished the world."—Mr. Cobbett has invariably professed a friendship for Mr. Windham, whom we have as invariably considered as the very champion of despotism; as no man but he, whose heart was steeled against every noble elevation of patriotism and overflowing with rancor and revenge, could have recommended *a vigour beyond the law*, and branded honest men, liberated from a state of persecution, with the epithet of *acquitted felons!*—These are inconsistencies for Mr. Cobbett to reconcile with his ardent professed love of liberty; to us they are irreconcileable.—These observations, extorted from us by Mr. Cobbett, necessarily lead to the following few remarks upon the question of right attempted to be claimed by the advocates of such a power belonging exclusively to the English government.—The engagement between the British and the American frigate off the Chesapeake has been stated to have arisen from a demand of the British Captain to search the American for deserters, which was refused on the part of the American, who was reduced to submission at the mouth of the cannon.—The visiting by force the ship of a neutral and friendly power, for the purpose of searching for deserters, is a case which does not seem to have been, at any time, in the contemplation of writers on the Law of Nations; for, neither Grotius, Puffendorff, nor Vattel, give an opinion on the question: and we scarcely imagine that Civilians will be able to produce any authority for the exercise of a power wholly inconsistent with the sovereignty and independence of the State who submits to it. The right of searching ships for goods contraband of war has its limits, and has not yet been extended to ships bearing the flag of an independent State; nor can we discover any instance where such a ship has been subjected to search at all, much less for deserters, which has never yet become the subject of Treaties settling the contraband of war.—*If the principle be once admitted, it will follow as a natural consequence that the Americans or the Danes will possess an EQUAL RIGHT of searching our ships on the same pretence, and shall we argue that we prevent its exercise by our naval superiority, and call this equal justice?*—In the case of the Swedish convoy, there was no claim made to visit and search the ship of war, our claim was to search the ships under convoy. The Swedes contended that even the presence of their ship

of war ought to be taken for a security that the convoy carried no contraband; what would they then have said, if we had also insisted on a right to search the ship of war as well as the convoy? And all the learning displayed on this question by the eminent Civilians, Schlegel and Dr. Croke, does not even hint at this right as likely to become a matter of discussion. Indeed, what can be a more direct invasion of the right of sovereignty, or a more flagrant attack on the honor of an independent nation, than to insist, as a matter of right, upon visiting a ship of war and searching for deserters? As a matter of right, we can find no acknowledged law, no case, no treaty, that will support such a demand.—And, if we view the conduct of the British Captain as a matter of prudence, we are equally at a loss for arguments to justify his proceedings. *At a time when all the ports of the European Continent are shut against our commerce, we do not expect to find one man hardy enough to assert that it would be prudent to cause the ports of the American Continent to be shut against us also. When our trade on this side the Atlantic is sensibly diminishing, it cannot be prudent to destroy the opportunity of extending it beyond the Atlantic; and yet this must be the mildest effect of a rupture with America.*—Since, then, the proceedings of the British captain can neither be justified by the law of nations nor palliated as a prudent exercise of that discretion which every naval commander must possess, if reparation be not made for the insult offered to the American flag, it will be evident that this occasion was purposely embraced to provoke hostilities with the United States. Had we been treated in the same manner, our complaints might have been louder and more effectual than theirs, but they would not therefore have been more just.—We have penned these remarks with regret, inasmuch as they may be liable to involve us in a controversy with Mr. Cobbett, and for a moment even to create a disunion between the avowed friends of liberty; but Mr. Cobbett left us no alternative but either an ignominious connivance at what appeared to us to be nothing less than a most outrageous slander of the people of America, or an exposition of the calumny. Our consciences, we trust, will never let us compromise our public duty.”

Now, Gentlemen, though I do not wish to call in question the sincerity of this writer, in his expressions of good-will towards me,

I must confess, that I cannot see what occasion there was for his dragging in here my constantly professed friendship for Mr. Windham, and that gentleman's old phrases of "a *vigour beyond the law*," and of "*acquitted felons*." My friendship for Mr. Windham, Gentlemen (though I am far from certain that he sets any value upon it), is founded in my knowledge, that he is an upright and honourable man; that, in all the many opportunities that he has had, he has never added to his fortune (though very moderate) at the public expence; that, according to my conviction, no man can charge him with ever having been concerned in a job; and that, whether his opinions be right or wrong, he always openly and strongly avows them. As to the two expressions imputed to him, the first arose from a threat, on the opposite side, that *the law would be set at defiance*; "if "so", said he, "we must have recourse to "a vigour beyond the law to enforce obedience to the law". From a writer, who professes so pure an attachment to the *love of truth*, one might have expected something better than a selection of odious words, making part of a speech, which, taken all together, render those words not only not odious, but perfectly proper. And, as to "*acquitted felons*"; though Mr. Windham might be wrong in his opinion, that the persons acquitted *were* felons, will you deny, that guilty men may be sometimes acquitted? Is there *no man*, can this writer think of *no man*, which has been *tried and acquitted*, whom he considers as *guilty*? Nay, has not this writer asserted in terms as plain as he dared to use (and I wish he had dared to use plainer terms), that guilty men have been tried and acquitted? And, has he not continued to speak of such men as being still as guilty as if they had never been tried at all? Where, then, let me ask him, was his "*spirit of equal liberty*", when he was endeavouring to perpetuate against Mr. Windham a charge of remorseless cruelty for having done no more than what he himself daily does; namely, represented those as guilty, whom the law has acquitted? He will, doubtless, say, that *the cases were different*; that those whom he persists in accusing of guilt, though acquitted, were *really guilty*, whereas the others were perfectly innocent. This is, indeed, the point; and though I should believe him, he would, in order to substantiate his charge of injustice against Mr. Windham, be compelled to show that *he thought* those innocent, whom he denominated "*acquitted felons*", a task, which, for want of positive evidence, he must begin by giving us some *one instance*, at least, in

which that gentleman has been known to use disguise or to discover insincerity, an instance, which, I am satisfied, he would be very much puzzled to produce.

In considering this writer's complaint against me, with regard to the dispute with America, I will first notice what relates to the particular case in question, and then trouble you with a few observations as to the general principle, upon which his reasoning proceeds.

As to the particular case, we, Gentlemen, have a treaty of amity and commerce with the Americans, in which treaty we grant them great benefits and indulgences, and, almost the only stipulation in our favour, is, that our ships shall have free entry into their ports and harbours, there to water, victual, and refit (if necessary) without let or molestation of any sort. But, if this stipulation does not include the liberty of having command over our ships' crews upon such occasions, of what use is it to us? Or, rather, is not the stipulation, in such case, a despicable fraud? To inveigle away any part of our ship's crew, under such circumstances; or, to secret them, or withhold them, from their officers, is a gross violation of this article of the treaty; is an act of hostility, the most hostile act, that the party is *able* to commit against us; and, therefore, if Capt. Humphreys had proceeded, at once to attack the Chesapeak, without any previous application for the men, he would have done no more than strict justice would have warranted. Suppose that the whole of a ship's crew were, while lying at Norfolk, to run the ship aground, and insist upon keeping her in that situation. Will this writer contend, that we should not have a right to treat it as an act of hostility, if the American people, or government, were to receive these men, and prevent us, no matter by what law, from seizing them? If *some* of the men may be received and withheld from us, why not the *whole*; and, why not in one case as well as in another case? So that, at this rate, a treaty of amity would mean, a thing whereby one nation is inveigled into the arms of another, for the purpose of that other doing it all the mischief in its power. This writer chooses to *begin* with what he calls the *insult* given to the American flag; he talks about the right of searching American flag-ships for deserters; just as if nothing *previous* had occurred. If it had suited him to notice, that, by taking the deserters on board, the Americans had committed an act of hostility against us, his conclusion, or, at least, the conclusion of his readers, must have been very different from that which he has drawn.—If, in-

deed, the deserters were not British subjects, but really Americans born ; if this was proved to the reasonable satisfaction of our minister in America, or to our commander upon station, that alters the case ; but, if that proof was not given, and, it is my decided opinion, that it will appear that it was not given, Admiral Berkeley, in giving orders for the search, and Captain Humphreys in so manfully executing those orders, deserve the praises of their country.

But, Gentlemen, I contend for the right of searching for deserters, upon the general principle, that the seas are *the dominion* of those who are able to maintain a mastery over all that swims upon them. The waters, within *cannon shot*, of a coast, are held, by civilians, to belong to those who dwell upon the coast. But, what *right* have they to the exclusive use and enjoyment of these, any more than we have to the dominion of the whole of the seas, whereon we are able to maintain a superiority of force ?

—The writer before us, has said a great deal about *equity* and *equal justice* and *equal liberty*. But, with submission, I must express my belief, that he has not taken time, duly to discriminate between the rights and liberties of individuals and the rights and liberties of nations. Individuals enter into a compact, express or tacit, to enjoy each of them such and such rights and liberties ; or, rather, they all consent to surrender a part of their liberties ; to put their natural rights into a common stock, whence, in well regulated states, each draws an equal share and enjoys it upon conditions common to all. But, it is impossible, that any such compact should exist amongst nations, who have no common stock of rights or liberties, who have no common government, who have no general head, who acknowledge no sovereign, who appeal to no arbiter but the sword, and with whom *conquest* confers the best possible right of dominion. But, while this last mentioned right, with respect to the *land*, is regarded as indubitable by all the Dutch and German and French writers upon what is called the *law of nations*, they all seem to deny, that there can be any rightful dominion upon the *waters* ; except, indeed, as I have before mentioned, as far out from the shore as a *cannon ball* will reach ; which, you will observe, amounts exactly to this, that they have a right to shoot at us, whenever we go within *cannon shot* of their shores without their permission, but that we can by no means obtain any right of dominion in the other waters where they want to go. It is a favourite doctrine, in America, that the sea is the *high way* of nations ;

but, why is it so any more than the land ? I can see no other reason than this : that, because upon the land, nations are *able to prevent* their country from being common to all ; and, if we are *able to prevent* this upon the sea, is not our right quite as good as theirs ? This writer says, that if the right of searching for deserters, be once admitted, it will follow, as a natural consequence, that the Americans will possess an *equal* right of searching our ships upon the same pretence ; " and " shall we argue, that we have the superiority, and call this *equal* justice." No : we will not mind the *equal* ; but we will call it *justice* ; because, will we say, " you sail upon these seas only by our permission, only by our forbearance and indulgence ; and, as to the question of *moral* justice, while the exercise of the right of search is not at all necessary to your existence, it is absolutely necessary to ours." This, be assured, gentlemen, is the doctrine we must now maintain at the cannon's mouth, if our enemies, no matter how they have been stirred up, shall refuse to listen to any other voice.

" Americans," says this writer, " Frenchmen, and all others, have an equal right to *liberty* with Englishmen ; and it is high time despotism was banished from the world." With all my heart. But, what has this to do with the right of search, or with dominion upon the seas ? I want not to take away any of the liberties of the Americans, I only want to see my country assert her rights of dominion, *where she has dominion* ; and, if this writer will have it to be a question of *liberty* or of *despotism*, where has he found a justification for the distinction, which, in imitation of the Morning Chronicle, he makes between American merchantships and American ships of war ? Is not *liberty* violated in the searching of the former as well as in the searching of the latter ?

Gentlemen, the notions of *universal equality*, upon which this writer proceeds, are chimerical, and never can be brought into practice, as long as it shall please God to continue the world divided into nations and tongues. They are, too, mischievous as well as chimerical ; because they lead to a laxity of feeling towards one's own country, which, upon every account, we are as much bound to prefer before all other countries, as we are bound to prefer our own brethren before all the rest of our countrymen. Guard your hearts, too, I beseech you, against abetting the cause of the Americans, or any other nation, upon the ground of their be-

ing friends to liberty ; for, be assured, that, if they could destroy the navy of England they would ; and, though it is possible that they might love liberty themselves, if they could get it, they would not stir one inch to save us from dungeons and chains ; but, on the contrary, when they saw us manacled, would laugh at our folly. This tender feeling, Gentlemen, for the interests and honour of foreign nations, is a feeling of modern date in the English patriot's breast. The motto, which I have taken for this paper, contains the sentiments of one of those, who assisted in overturning the kingly government of England. His were not notions of universal equality amongst nations. The men of that day understood what liberty was, full as well as my friend of the Independent Whig. They were no court sycophants. They spared not their blood in the cause of liberty at home ; but, never did it enter into their minds, that all nations were entitled to equal rights upon the seas. They gave up none, no not one, of the rights or the honours of England ; but, they restored, re established, and confirmed those rights and honours, which the preceding pusillanimous kings had suffered to wither and decay.

There are some other important points, upon which I shall, in my next letter, trouble you with some observations, such, for instance, as the danger, which this writer apprehends, from the *closing of the American ports against us*, in which he happens most harmoniously to coincide in expression with those whom, I hope, he most despises. The *character* of the Americans, too, and especially that of their sea-faring people, he has adventurously taken upon him to vindicate. The *probable number of our seamen* on board of American ships I shall be able to state with a little more accuracy than he has done. In the meanwhile, suffer me to exhort you, not to let your resentment against our calumniators carry you one inch towards an indifference with respect to the fate of our country from without ; for, be assured, that if a conqueror were to take possession of it, we should be the principal sufferers, and not they, who would readily enlist in his service, and who would be gladly received, as ready-made instruments in his works of rapacity and plunder.

I am,
Gentlemen,
Your faithful friend,
and obedient Servant,

Botley, 13th Aug. }
1807. }

Wm. COBBETT.

CONTINENTAL WAR — Eightieth Bulletin of the Grand French Army.
(Concluded from page 224.)

The Emperor of Russia remained three weeks at Tilsit with the King of Prussia. On receiving advice of the battle of Friedland, they both left the place with the utmost haste.

No. I.

The General in Chief Benningsen, to his Excellency the Prince Bagratian.

After the torrents of blood which have lately flowed in battles as sanguinary as frequently repeated, I could wish to assuage the evils of this destructive war by proposing an armistice, before we enter into a conflict, into a new war, perhaps still more terrible than the former. I request you, Prince, to make known to the chiefs of the French army this intention on my part, of which the consequence may have effects more salutary, as a general congress has already been proposed, and may prevent a useless effusion of human blood. You will afterwards transmit to me the result of your proceedings, and believe me to be with the most distinguished consideration, your Excellency's most humble and most obedient servant —

B. BENNINGSSEN.

No. II.

His Excellency the Prince Bagratian to the General in Chief Benningsen

General,—The General Commander in Chief has addressed to me a letter relative to the orders which his Excellency has received from his Majesty the Emperor, directing me to communicate its contents : I think I cannot better comply with his intentions than by transmitting to you the original. I request you, at the same time, to send me your answer ; and accept the assurance of the high consideration with which I am, General, your most humble and most obedient servant, — BAGRATHION. — June 6-18th.

81st Bulletin of the Grand French Army.

Tilsit, June 21. — At the affair at Heilsberg, the Grand Duke of Berg passed along the line of the 3d division of cuirassiers, at the moment when the 6th regiment had just made a charge. Col. d'Avary, commander of the regiment, his sabre dyed in blood, said, "Prince, review my regiment, and you will find that there is not a soldier whose sword is not like mine." — Col. Borde Soult was wounded ; Guihenene, Aid-de-Camp to Marshal Lasnes, was wounded.

(To be continued.)

PUBLIC PAPERS.

DISPUTE WITH AMERICA.—*Proclamation by Thomas Jefferson, President of the United States of America. Given at the City of Washington, July 2, 1807.*

During the wars which, for some time, have unhappily prevailed among the powers of Europe, the United States of America, firm in their principles of peace, have endeavoured, by justice, by a regular discharge of all their national and social duties, and by every friendly office their situation has admitted, to maintain, with all the belligerents, their accustomed relations of friendship, hospitality, and commercial intercourse. Taking no part in the questions which animate these powers against each other, nor permitting themselves to entertain a wish but for the restoration of general peace, they have observed with good faith the neutrality they assumed, and they believe that no instance of a departure from its duties can be justly imputed to them by any nation. A free use of their harbours and waters, the means of refitting and of refreshment, of succour to their sick and suffering, have, at all times, and on equal principles, been extended to all, and this too amidst a constant recurrence of acts of insubordination to the laws, of violence to the persons, and of trespasses on the property of our citizens, committed by officers of one of the belligerent parties received among us. In truth these abuses of the laws of hospitality have, with few exceptions, become habitual to the commanders of the British armed vessels hovering on our coasts, and frequenting our harbours. They have been the subject of repeated representations to their government. Assurances have been given that proper orders should restrain them within the limit of the rights and of the respect due to a friendly nation: but those orders and assurances have been without effect; no instance of punishment for past wrongs has taken place. At length, a deed, transcending all we have hitherto seen or suffered, brings the public sensibility to a serious crisis, and our forbearance to a necessary pause. A frigate of the United States, trusting to a state of peace, and leaving her harbour on a distant service, has been surprised and attacked by a British vessel of superior force, one of a squadron then lying in our waters, and covering the transaction, and has been disabled from service, with the loss of a number of men killed and wounded. This enormity was not only without provocation or justifiable cause, but was committed with the avowed purpose of taking by force, from a ship of war, belonging to the United States, a part of her crew,

and that no circumstance might be wanting to mark its character, it had been previously ascertained, that the seamen demanded were native citizens of the United States. Having effected his purpose, he returned to anchor with his squadron within our jurisdiction. Hospitality, under such circumstances, ceases to be a duty; and a continuance of it, with such uncontrollable abuses, would tend only, by multiplying injuries and irritations, to bring on a rupture between the two nations. This extreme resort is equally opposed to the interests of both, as it is to assurances of the most friendly dispositions on the part of the British government, in the midst of which this outrage has been committed. In this light the subject cannot but present itself to that government, and strengthen the motives to an honourable reparation of the wrong which has been done, and to that effectual controul of its naval commanders, which alone can justify the government of the United States, in the exercise of those hospitalities it is now constrained to discontinue.—In consideration of these circumstances, and of the right of every nation to regulate its own police, to provide for its peace, and for the safety of its citizens, and consequently to refuse the admission of armed vessels into its harbours or waters, either in such numbers or of such descriptions as are inconsistent with these, or with the maintenance of the authority of the laws, I have thought proper, in pursuance of the authorities specially given by law, to issue this my proclamation, hereby requiring all armed vessels bearing commission under the government of Great Britain, now within the waters or harbours of the United States, immediately and without any delay to depart from the same, and interdicting the entrance of all the said harbours and waters to the said armed vessels, and to all others bearing commissions under the authority of the British government.—And if the said vessels, or any of them, shall fail to depart as aforesaid, or if they, or any others, so interdicted, shall hereafter enter the harbours or waters aforesaid, I do, in that case, forbid all intercourse with them, or any of them, their officers or crews, and do prohibit all supplies and aid from being furnished to them or any of them.—And I do declare and make known, that if any person from, or within the jurisdictional limits of the United States, shall afford any aid to any such vessel, contrary to the prohibition contained in this proclamation, either in repairing any such vessel, or in furnishing her, her officers, or crew, with supplies of any kind, or in any manner whatsoever, or if any pilot shall assist in navigating any of the said armed ves-

sels, unless it be for the purpose of carrying them in the first instance, beyond the limits and jurisdiction of the United States, or unless it be in the case of a vessel forced by distress, or charged with public dispatches, as hereinafter provided for, such person or persons shall, on conviction, suffer all the pains and penalties by the laws provided for such offences.—And I do hereby enjoin and require all persons bearing office, civil or military, within or under the authority of the United States, and all others, citizens or inhabitants thereof, or being within the same, with vigilance and promptitude to exert their respective authorities, and to be aiding and assisting to the carrying this proclamation, and every part thereof, into full effect.— Provided nevertheless, that if any such vessel shall be forced into the harbours or waters of the United States, by distress, by the dangers of the sea, or by the pursuit of an enemy, or shall enter them charged with dispatches or business from their government, or shall be a public packet for the conveyance of letters and dispatches, the commanding officer immediately reporting his vessel to the collector of the district, stating the object or causes of entering the said harbours or waters, and conforming himself to the regulations in that case prescribed under the authority of the laws, shall be allowed the benefit of such regulations respecting repairs, supplies, stay, intercourse and departure, as shall be permitted under the same authority.—In testimony whereof I have caused the Seal of the United States to be affixed to these presents, and signed the same.—Given at the City of Washington, the 2d day of July, in the year of our Lord, 1807, and of the sovereignty and independence of the United States the thirty-first;— THOMAS JEFFERSON, By the President.— JAMES MADISON, Secretary of State.

TREATY BETWEEN FRANCE AND RUSSIA.—

Treaty of Peace between his Majesty the Emperor of the French, the King of Italy, and his Majesty the Emperor of all the Russias. Done at Tilsit, July 7, 1807.

His Majesty, the Emperor of France, King of Italy, Protector of the Confederation of the Rhine, and his Majesty the Emperor of Russia, animated with the same interest in putting an end to the devastations of war, have, for this purpose, nominated and furnished with full power on the part of his Majesty the Emperor of France and King of Italy, Charles Maurice Talleyrand, Prince of Benevento, his Great Chamberlain, and Minister of Foreign Affairs, Grand Cross of the Legion of Honour, Knight of the Prussian Order of the Black and of the Red Eagle of the Order of St. Hubert.—His Majesty, the

Emperor of all the Russias, has, on his part, appointed Prince Kourakin, his actual Privy Counsellor; Member of the Council of State, and of the Senate; Chancellor of all the Orders in the Empire; Ambassador Extraordinary, and Plenipotentiary of his Majesty of all the Russias to his Majesty the Emperor of Austria; Knight of the Russian Order of St. Andrew; of St. Alexander; of St. Aube; of the first class of the Order of St. Wolodimir, and of the second class of the Prussian Orders of the Black and Red Eagle; of the Bavarian Order of St. Hubert; of the Danish Order of Dannebrog, and the Perfect Union, and Bailiff and Grand Cross of the Sovereign Order of St. John of Jerusalem; and Prince Demety Labanoff Van Rostoff, Lieut. General of the Armies of his Majesty the Emperor of all the Russias; Knight of the first class of the Order of St. Anne, of the Military Order of St. Joris, and of the third class of the order of Wolodimir.— The abovementioned, after exchanging their full powers, have agreed upon the following Articles:—Art. I. From the day of exchanging the ratification of the present treaties, there shall be perfect peace and amity between his Majesty the Emperor of the French and King of Italy, and his Majesty the Emperor of all the Russias.—Art. II. Hostilities shall immediately cease at all points by sea or land, as soon as the intelligence of the present treaty shall be officially received. In the mean while, the high contracting parties shall dispatch couriers extraordinary to their respective generals and commanders.—Art. III. All ships of war or other vessels, belonging to the high contracting parties or their subjects, which may be captured after the signing of this treaty, shall be restored. In case of these vessels being sold, the value shall be returned.— Art. IV. Out of esteem for his Majesty the Emperor of all the Russias, and to afford to him a proof of his sincere desire to unite both nations in the bands of immutable confidence and friendship, the Emperor Napoleon wishes that all the countries, towns, and territory, conquered from the King of Prussia, the ally of his Majesty the Emperor of all the Russias, should be restored, namely, that part of the Duchy of Magdeburg, situated on the right bank of the Rhine, the Mark of Prignitz; the Uker Mark; the Middle and New Mark of Brandenburg, with the exception of the Circle of Kotbuss, in Lower Alsace; the Duchy of Pomerania; Upper, Lower, and New Silesia, and the County of Glatz; that part of the District of the Netze, which is situated to the northward of the road of Driesen and Schneidemühl, and to the northward of a line drawn

from Schneidemuhl through Waldau to the Vistula, and extending along the frontier of the circle of Bromberg, and the navigation of the river Netze and of the canal of Bremberg, from Driesen to the Vistula and back, must remain open and free of all tolls; Pomerelia; the island of Nogat; the country on the right bank of the Vistula and of the Nogat, to the West of Old Prussia, and to the Northward of the circle of Calm; Ermeland. Lastly, the kingdom of Prussia, as it was on the 1st of January, 1772, together with the fortresses of Spandau, Stettin, Custrin, Glogau, Breslau, Schweidnitz, Neisse, Brieg, Kosel, and Glatz, and in general all fortresses, citadels, castles, and strong holds of the countries above-named, in the same condition in which those fortresses, citadels, castles, and strong holds may be at present; also, in addition to the above, the city and citadel of Graudentz.—

Art. V. Those provinces which, on the 1st of January, 1772, formed a part of the kingdom of Poland, and have since, at different times, been subjected to Prussia (with the exception of the countries named or alluded to in the preceding article, and of those which are described below the 9th article), shall become the possession of his Majesty the King of Saxony, with power of possession and sovereignty, under the title of the Duchy of Warsaw, and shall be governed according to a regulation, which will insure the liberties and privileges of the people of the said Duchy, and be consistent with the security of the neighbouring states.

—Art. VI. The City of Dantzig, with a territory of two leagues round the same, is restored to her former independence, under the protection of his Majesty the King of Prussia, and his Majesty the King of Saxony; to be governed according to the laws by which she was governed at the time when she ceased to be her own mistress.—

Art. VII. For a communication betwixt the kingdom of Saxony and the Duchy of Warsaw, his Majesty the King of Saxony is to have the free use of a military road through the states of his Majesty the King of Prussia. This road, the number of troops which are allowed to pass at once, and the resting places, shall be fixed by a particular agreement between the two sovereigns, under the mediation of France.—

Art. VIII. Neither his Majesty the King of Prussia, his Majesty the King of Saxony, nor the city of Dantzig, shall oppose any obstacles whatever to the free navigation of the Vistula under the name of tolls, rights, or duties.—

Art. IX. In order as far as possible to establish a natural boundary between Russia and

the Duchy of Warsaw, the territory between the present confines of Russia, from the Bug to the mouth of the Lassona, shall extend in a line from the mouth of the Lassona along the towing path of the said river; and that of the Bobra, up to its mouth; that of the Narew from the mouth of that river as far as Suradiz; from Lissa to its source near the village of Mien; from this village to Nutzeck, and from Nutzeck to the mouth of that river beyond Nurr; and finally, along the towing path of the Bug upwards, to extend as far as the present frontiers of Russia. This territory is for ever united to the Empire of Russia.—

Art. X. No person of any rank or quality whatever, whose residence or property may be within the limits stated in the above-mentioned article, nor any inhabitant in those provinces of the ancient kingdom of Poland, which may be given up to his Majesty the King of Prussia, or any person possessing estates, revenues, pensions, or any other kind of income, shall be molested in his person, or in any way whatever, on account of his rank, quality, estates, revenues, pensions, income, or otherwise, or in consequence of any part, political or military, which he may have taken in the events of the present war.—

Art. XI. All contracts and engagements between his Majesty the King of Prussia and the ancient possessors, relative to the general imposts, the ecclesiastical, the military or civil benefices, of the creditors or pensioners of the old Prussian government, are to be settled between the Emperor of all the Russias and his Majesty the King of Saxony; and to be regulated by their said Majesties, in proportion to their acquisitions, according to articles V. and IX.

—Art. XII. Their Royal Highnesses the Dukes of Saxe Cobourg, Oldenburg, and Mecklenburgh Schwerin, shall each of them be restored to the complete and quiet possession of their estates; but the ports in the Duchies of Oldenburg and Mecklenburgh shall remain in the possession of French garrisons till the definitive treaty shall be signed between France and England.—

Art. XIII. His Majesty the Emperor Napoleon accepts of the mediation of the Emperor of all the Russias, in order to negotiate and conclude a definitive treaty of peace between France and England; however, only upon condition that this mediation shall be accepted by England in one month after the exchange of the ratification of the present treaty.—

Art. XIV. His Majesty the Emperor of all the Russias being desirous on his part to manifest how ardently he desires to establish the most intimate and lasting relations between the two Emperors, acknowledges his Majesty

Joseph Napoleon, King of Naples; and his Majesty Louis Napoleon, King of Holland.—Art. XV. His Majesty the Emperor of all the Russias, acknowledges the Confederation of the Rhine, the present state of the possessions of the princes belonging to it, and the titles of those which were conferred upon them by the act of confederation, or by the subsequent treaties of accession. His said Majesty also promises, information being communicated to him on the part of the Emperor Napoleon, to acknowledge those sovereigns who may hereafter become members of the confederation, according to their rank specified in the act of confederation.—Art. XVI. His Majesty the Emperor of all the Russias cedes all his property in the right of sovereignty to the Lordship of Jevor, in East Friesland, to his Majesty the King of Holland.—Art. XVII. The present treaty of peace shall be mutually binding, and in force for his Majesty the King of Naples, Joseph Napoleon, his Majesty Louis Napoleon, King of Holland, and the Sovereigns of the Confederation of the Rhine, in alliance with the Emperor Napoleon.—Art. XVIII. His Majesty the Emperor of all the Russias also acknowledges his Imperial Highness, Prince Jerome Napoleon, as King of Westphalia.—Art. XIX. The Kingdom of Westphalia shall consist of the provinces ceded by the King of Prussia on the left bank of the Elbe, and other states at present in the possession of his Majesty the Emperor Napoleon.—Art. XX. His Majesty the Emperor of all the Russias engages to recognize the limits which shall be determined by his Majesty the Emperor Napoleon, in pursuance of the foregoing XIXth article, and the cessions of his Majesty the King of Prussia (which shall be notified to his Majesty the Emperor of all the Russias), together with the state of possession resulting therefrom to the sovereigns for whose behoof they shall have been established.—Art. XXI. All hostilities shall immediately cease between the troops of his Majesty the Emperor of all the Russias and those of the Grand Seignior, at all points, wherever official intelligence shall arrive of the signing of the present treaty. The high contracting parties shall, without delay, dispatch couriers extraordinary to convey the intelligence, with the utmost possible expedition, to the respective generals and commanders.—Art. XXII. The Prussian troops shall be withdrawn from the Provinces of Moldavia, but the said provinces may not be

occupied by the troops of the Grand Seignior, till after the exchange of the ratifications of the future definitive treaty of peace between Russia and the Ottoman Porte.—

Art. XXII. His Majesty the Emperor of all the Russias accepts the mediation of his Majesty the Emperor of France and King of Italy, for the purpose of negotiating a peace advantageous and honourable to the two powers, and of concluding the same. The respective plenipotentiaries shall repair to that place which will be agreed upon by the two powers concerned, there to open the negotiations, and to proceed therewith.—

Art. XXIV. The periods, within which the high contracting parties shall withdraw their troops from the places which they are to evacuate pursuant to the above stipulations, as also the manner in which the different stipulations contained in the present treaty, shall be executed, will be settled by a special agreement.—Art. XXV. His Majesty the Emperor of the French, King of Italy, and his Majesty the Emperor of all the Russias, mutually ensure to each other the integrity of their possessions, and of those of the powers included in this present treaty, in the state in which they are now settled, or further to be settled, pursuant to the above stipulations.—Art. XXVI. The prisoners made by the contracting parties, or those included in the present treaty, shall be restored in a mass, and without any cartel of exchange on both sides.—Art. XXVII. The commercial relations between the French Empire, the Kingdom of Italy, the Kingdoms of Naples and Holland, and the Confederate States of the Rhine, on one side; and the Empire of Russia on the other, shall be replaced on the same footing as before the war.——Art. XXVIII. The ceremonial between the two courts of the Tuilleries and Petersburgh, with respect to each other, and also their respective ambassadors, ministers, and envoys, mutually accredited to each other, shall be placed on the footing of complete equality and reciprocity.—Art. XXIX. The present treaty shall be ratified by his Majesty the Emperor of the French, King of Italy, and his Majesty the Emperor of all the Russias; the ratifications shall be exchanged in this city within the space of four days.—

Done at Tilsit, 7th July, (25th June), 1807.

—(Signed) C. MAURICE TALLEYRAND, Pr. of Benevento.—Prince ALEXANDER KOURAKIN.—Prince DIMITRY LABANOFF VAN ROSTOFF.—A true Copy. (Signed) C. M. TALLEYRAND, Prince of Benevento.